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**From:** Bennett, Brittany [bennett.brittany@epa.gov]  
**Sent:** 2/13/2020 11:15:48 PM  
**To:** Hough, Palmer [Hough.Palmer@epa.gov]  
**CC:** Hurd, Kathy [Hurd.Kathy@epa.gov]  
**Subject:** RE: assumption language  
**Attachments:** Mit Rule - 404(g) Preamble Language.docx

I don't want to forget to do this, so I'm taking a quick stab at it. Sorry for the foggy headedness earlier – your timing was unlucky.

Kathy, I've been asked to add some quick language to the preamble of the mitigation rule regarding the assumable waters memo, per Lee Forsgren. I've pulled from our letters sent to governors and tribal leaders in September 2018, which touches on the three major actions for the rulemaking (FACA report, Army memo, Reg Agenda announcement). It's a Wheeler-era letter, so I don't imagine our messaging has changed much, but I did want to include you in case there are any red flags.

Palmer, I know you said one sentence, but I'm hoping this will be alright. John just stopped by my cube and said he would appreciate if we could pull from vetted language, so this would fit that bill. See attached.

Let me know if you need any changes or if there is anything else I can help with.

Brittany

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**From:** Hough, Palmer <Hough.Palmer@epa.gov>  
**Sent:** Tuesday, February 04, 2020 12:43 PM  
**To:** Bennett, Brittany <bennett.brittany@epa.gov>  
**Subject:** assumption language

**Primary preamble text:**

**Ex. 5 Deliberative Process (DP)**

# **Ex. 5 Deliberative Process (DP)**

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